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**City of Reading City Council**  
**Conditional Use Public Hearing**  
**Wednesday, March 18, 2009**  
**1259 North 10th Street**  
**Council Chambers**

Vaughn D. Spencer, President of Council, called the hearing to order at 5:05 p.m.

**Purpose**

Council President Spencer announced that the purpose of the hearing is to consider the Conditional Use application for 1259 North 10th Street. He explained that the City uses Conditional Use Public Hearings to evaluate whether a proposed use is appropriate for a particular property and neighborhood. This building has been a rental property with 10 units for over 20 years but Zoning only has the property registered for 6 units. The first floor of the build currently houses MDJ Xavios' courtroom. The first floor in prior years was used as a State Liquor Store.

City Council and staff will evaluate such items as building placement and size, characteristic of the use, traffic generation, noise, hours of operation, adequacy of parking, circulation, proposed merchandise, landscaping and overall compatibility of the use with adjoining properties and other related development impacts and may impose conditions to assure compatibility with neighboring businesses or residences.

**Attendance**

Council President V. Spencer  
Councilor S. Fuhs  
Councilor S. Marmarou  
Councilor M. Goodman-Hinnershitz  
Councilor D. Sterner  
Councilor M. Baez  
City Clerk Linda Kelleher  
City Solicitor C. Younger  
Brad Weisman, owner of 1259 North 10th Street

Council President Spencer explained the format of the hearing and asked City Solicitor C. Younger to conduct the hearing.

City Solicitor Younger asked the property owner and anyone who wished to testify

about this application to rise and be sworn in. Mr. Younger issued the oath to Brad. Weisman, owner of 1259 North 10th Street.

### **Testimony from Applicant**

Mr. Weisman stated that he resides in Spring Township and purchased this 10 unit property in 1998. The property was advertised as a ten unit rental property and operated as such for 20-30 years. He explained that he is not seeking more than 10 units but is only seeking a correction to the City's zoning records. He stated that he has complied with all property maintenance requirements and has always obtained the necessary rental permits. He noted that he participated on the committee that defined the new rental permitting process and he expressed his support for the process currently in place.

City Solicitor Younger entered the agenda and its attachments into the record as Exhibit 1.

Councilor Marmarou inquired if Mr. Weisman is requesting a change in the number of residential units. Mr. Weisman stated that he purchased this 10 unit residential property in 1998 and is not requesting an increase in the number of units. He added that the error in the number of units was identified when the property was going through the permitting process. He expressed hope that this hearing will correct the error in the zoning records.

Councilor Goodman-Hinnershitz expressed her belief in the process currently in place. She inquired if the City Administration has provided any input. Ms. Kelleher stated that the Zoning office does not oppose the approval of this application. She noted that input from the Planning Office has not yet been obtained.

Councilor Sterner inquired if the property has off-street parking arrangements. Mr. Weisman replied that the majority of residents in the building rely on the public transportation system. He stated that parking has never been a problem.

Council President Spencer stated that Council will take action on this application at a regular meeting in April. He asked Ms. Kelleher to let Mr. Weisman know when this issue will be on a Council agenda.

Council President Spencer adjourned the hearing.

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*